

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

**THE HON'BLE THE CHIEF JUSTICE MR.H.L.DATTU
&
THE HONOURABLE MR. JUSTICE K.T.SANKARAN**

MONDAY, THE 9TH JULY 2007 / 18TH ASHADHA 1929

WA.No. 1526 of 2007

AGAINST THE JUDGEMENT IN WPC.5882/2007 Dated 29/03/2007

APPELLANT/PETITIONER:

PARAPARATH GOPALAN,
C/O. ANEESH HOTEL, KUTHUPARAMBA.

BY ADV. SRI.S.M.PREM
ADV. SMT.K.P.SANTHI

RESPONDENTS/ RESPONDENTS:

1. STATE OF KERALA,
REPRESENTED BY THE SECRETARY TO GOVERNMENT,
LOCAL AUTHORITIES DEPARTMENT, SECRETARIAT,
TRIVANDRUM.
2. THE DISTRICT COLLECTOR, KANNUR.
3. CORPORATION OF KUTHUPARAMBA,
REPRESENTED BY THE SECRETARY, KUTHUPARAMBA.
4. THE TOWN PLANNING OFFICER,
KUTHUPARAMBA MUNICIPALITY, KUTHUPARAMBA.

BY SPL. GOVERNMENT PLEADER SHRI C.T. RAVIKUMAR.

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION
ON 09/07/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

H.L. DATTU, C.J. & K.T. SANKARAN, J.

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W.A. No. 1526 OF 2007
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Dated this the 9th July, 2007

J U D G M E N T

H.L. Dattu, C.J.:

The petitioner in W.P.(C) 5882 of 2007 is the appellant in this appeal.

2. In the Writ Petition filed, there were two prayers. Firstly to quash Ext.P4 notice and Ext.P10 order issued by the respondents. Secondly, for a direction to the second respondent to consider and dispose of Exts. P2 and P3 representations, said to have been filed by the petitioner/appellant herein.

3. When the matter was taken up for admission, the learned Government Pleader, on instruction, had submitted before the Court that Exts. P2 and P3 have already been disposed of by the District Collector and appropriate orders have been passed.

4. In our opinion, if for any reason, the petitioner/appellant is aggrieved by the orders passed by the second respondent on their representations, viz. , Exts. P2 and P3, the petitioner/appellant has to file an appropriate application before the appropriate authority.

4. The learned single Judge, after considering the submission made by the learned Government Pleader, had disposed of the Writ Petition primarily on the ground that Exts. P2 and P3 have already been disposed of by the second respondent-District Collector. We do not see any error in the orders

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passed by the learned single Judge, which calls for our interference.

Therefore, the Writ Appeal requires to be rejected and it is rejected.

Ordered accordingly.

**H.L. DATTU,
CHIEF JUSTICE.**

**K.T. SANKARAN,
JUDGE.**

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